

SENATE BILL 1682

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 10,
Chapter 7, Part 5, relative to public records.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 10-7-503(a)(2)(B), is amended by deleting subdivisions (i)-(iii) and substituting instead:

(i) Make the public record requested available to the requestor;

(ii) Deny the request in writing or by completing a records request response form developed by the office of open records counsel. The custodian shall include in the response the basis for the denial and, if the denial is based on state law, a citation to the state law prohibiting disclosure; or

(iii) Furnish the requester in writing, or by completing a records request response form developed by the office of open records counsel, the time reasonably necessary to produce the record.

SECTION 2. Tennessee Code Annotated, Section 10-7-503(a)(4), is amended by deleting the subdivision and substituting instead:

(4) This section does not require a governmental entity to sort through files to compile information into a new record or to create or recreate a record that does not exist; however, a records custodian shall allow a person making a request to inspect non-exempt records and receive copies of non-exempt records that contain the information sought. A request for inspection or copying of a public record must be sufficiently detailed to enable the governmental entity to identify responsive records for inspection and copying.

SECTION 3. Tennessee Code Annotated, Section 10-7-503(a)(7)(A), is amended by deleting subdivision (vi) and substituting instead:

(vi) A governmental entity may require a person making a request to view or make a copy of a public record to present a government-issued photo identification, if the person possesses photo identification, that includes the person's address. If a person does not possess photo identification, the governmental entity may require other forms of identification evidencing the person's residency in this state.

SECTION 4. This act takes effect July 1, 2022, the public welfare requiring it.